



IFW

Attorney Docket No. T3736-9375US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

First Named Inventor: Kenji KOUCHI

Art Unit: 3611

Appln. No.: 10/525,747

Examiner:

Filed: February 25, 2005

Confirmation No.:

For: VITAL SIGN DISPLAY DEVICE AND
METHOD THEREOF

* * *

REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Official Filing Receipt mailed July 15, 2005, was received by the undersigned attorney of record in the above-identified application. On reviewing the Official Filing Receipt, there are two corrections to be made.

It is respectfully requested that the official filing receipt be corrected to show the Assignee as highlighted on the attached copy. Also, please correct the title of the invention to read as highlighted on the attached copy. See the accompanying supporting documentation.

A Corrected Official Filing Receipt is respectfully requested.

Respectfully submitted,

JHV:jab

Miles & Stockbridge P.C.
1751 Pinnacle Drive, Suite 500
McLean, Virginia 22102-3833
(703) 903-9000
July 29, 2005
#9275677

By:

Jason H. Vick
Reg. No. 45,285



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/525,747	02/25/2005	3611	2300	T3736-9375US01	11	15	10

000181
 MILES & STOCKBRIDGE PC
 1751 PINNACLE DRIVE
 SUITE 500
 MCLEAN, VA 22102-3833

RECEIVED

JUL 20 2005

MILES & STOCKBRIDGE P.C.
 TYSONS CORNER

CONFIRMATION NO. 2069

FILING RECEIPT



OC000000016507260

Date Mailed: 07/15/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Kenji Kouchi, Toyonaka-shi, JAPAN;
 Ryuji Nagai, Takatsuki-shi, JAPAN;
 Shinya Nagata, Kobe-shi, JAPAN;

ASSIGNMENT FOR PUBLISHED PATENT APPLICATION
 DAINIPPON PHARMACEUTICAL CO., LTD.

Power of Attorney: The patent practitioners associated with Customer Number 000181.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP03/10734 08/26/2003

Foreign Applications

JAPAN 2002-246627 08/27/2002

Projected Publication Date: 10/20/2005

Non-Publication Request: No

Early Publication Request: No

Title

DEVICE AND METHOD THEREOF
 Vital sign display and its method

Preliminary Class

040

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control,

Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

AT NEY'S DOCKET NUMBER

T3736-9375US01

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.
PCT/JP03/10734

INTERNATIONAL FILING DATE
26 August 2003

PRIORITY DATE CLAIMED
27 August 2002

TITLE OF INVENTION

VITAL SIGN DISPLAY DEVICE AND METHOD THEREOF

APPLICANT(S) FOR DO/EO/US

KOUCHI, Kenji; NAGAI, Ryuji; NAGATA, Shinya

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

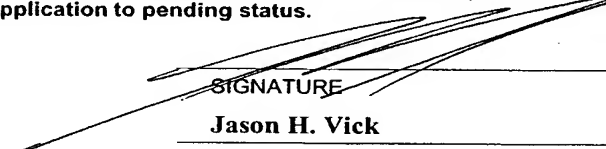
Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☒ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☒ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☐ Express Mail Label No.
23. ☒ Other items or information:

Copy of Form PCT/IB/308

Assignment Information:

Assignee: Dainippon Pharmaceutical Co., Ltd.

U.S. APPLICATION NO (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO. PCT/JP03/10734		ATTORNEY'S DOCKET NUMBER T3736-9375US01	
24. The following fees are submitted:				Applicant use	Office use
<input checked="" type="checkbox"/> a) Basic national fee		\$300.00		\$	\$300.00
<input checked="" type="checkbox"/> b) Examination fee		\$200.00		\$	\$200.00
<input checked="" type="checkbox"/> c) Search fee		\$500.00		\$	\$500.00
TOTAL OF ABOVE CALCULATIONS =				\$	\$1,000.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)		RATE	
- 100 =	/50 =			x \$250.00	\$ \$0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	15 - 20 =	0	x \$50.00	\$	\$0.00
Independent claims	10 - 3 =	7	x \$200.00	\$	\$1,400.00
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00				\$	\$0.00
TOTAL OF ABOVE CALCULATIONS =				\$	\$2,400.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					
SUBTOTAL =				\$	\$2,400.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	\$0.00
TOTAL NATIONAL FEE =				\$	\$2,400.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$	\$40.00
TOTAL FEES ENCLOSED =				\$	\$2,440.00
Amount to be refunded:					\$
Amount to be charged:					\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ \$2,440.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is _____ c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1165 . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO: Jason H. Vick Miles & Stockbridge P.C. Customer No. 181					
				SIGNATURE  Jason H. Vick NAME 45,285 REGISTRATION NUMBER	

RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE

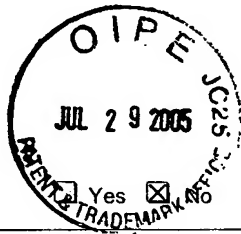
Patent and Trademark Office

PATENTS ONLY

Tab settings → → → ▼ ▼ ▼ ▼ ▼ ▼ ▼ ▼

To the Director of the United States Patent and Trademark Office: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Kenji KOUCHI
Ryuji NAGAI
Shinya NAGATA

Additional names(s) of conveying party(ies)

2. Name and address of receiving party(ies):

Name: Dainippon Pharmaceutical Co., Ltd.Address: 6-8, Dosho-machi 2-chomeChuo-ku

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: 2/21/05, 2/21/05, 2/21/05City: Osaka-shi State/Prov.: OsakaCountry: Japan ZIP: 541-8524Additional name(s) & address(es) ☐ Yes ☒ No

4. Application number(s) or patent numbers(s):

If this document is being filed together with a new application, the execution date of the application is: February 21, 2005

Patent Application No. _____ Filing date _____

B. Patent No.(s) _____

Additional numbers

☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Jason H. VickRegistration No. 45,285Address: Miles & Stockbridge P.C.1751 Pinnacle Dr., Suite 500City: McLean State/Prov.: VACountry: U.S. ZIP: 221026. Total number of applications and patents involved: **1**7. Total fee (37 CFR 3.41):.....\$ 40.00

- ☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account
☐ Authorized to be charged to deposit account

8. Deposit account number:

50-1165

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*Jason H. Vick

Name of Person Signing

Signature

February 25, 2005

Date

2

Total number of pages including cover sheet, attachments, and

ASSIGNMENT

In consideration of the receipt of good and valuable consideration in hand paid, the receipt and sufficiency of which is hereby acknowledged, the undersigned,

(1) Kenji KOUCHI
(2) Ryuji NAGAI
(3) Shinya NAGATA

(4) _____
(5) _____
(6) _____

who have made a certain new and useful invention, hereby sell, assign and transfer unto

DAINIPPON PHARMACEUTICAL CO., LTD. of 6-8, Dosho-machi 2-chome, Chuo-ku, Osaka-shi, Osaka 541-8524 Japan

its successors and assigns (hereinafter designated "ASSIGNEE") the entire right, title and interest for the United States of America as defined in 35 U.S.C. 100 in the invention entitled

Vital Sign Display Device and Method Thereof

(a) for which an application for United States Letters Patent was filed on _____,
and identified by United States Serial No. _____; or

(b) for which an application for United States Letters Patent was executed on _____,

and the undersigned hereby authorize and request the United States Commissioner of Patent and Trademarks to issue any and all United States Letters Patents which may be granted therefor and any and all extensions, divisions, reissues, substitutes, renewals or continuations thereof, and the right to all benefits under the International Convention for the Protection of Industrial Property to the said ASSIGNEE, for its interest as ASSIGNEE, its successors, assigns and legal representatives; the undersigned agree that the attorneys of record in said application shall hereafter act on behalf of said ASSIGNEE;

AND the undersigned hereby agree to transfer a like interest, and to render all necessary assistance in making application for, obtaining, and enforcing original, divisional, reissued or extended Letters Patent of the United States, upon request of the said ASSIGNEE, its successors, assigns and legal representatives, and without further remuneration, in and to any improvements, and applications for patent based thereon, growing out of or related to the said invention; and to execute any papers by the said ASSIGNEE, its successors, assigns and legal representatives, deemed essential to ASSIGNEE's full protection and title in and to the invention hereby transferred.

SIGNED on the dates indicated aside our signatures:

INVENTOR(S)

DATE SIGNED

(1) Kenji Kouchi
Name: Kenji KOUCHI

February 21, 2005

(2) Ryuji Nagai
Name: Ryuji NAGAI

February 21, 2005

(3) Shinya Nagata
Name: Shinya NAGATA

February 21, 2005

(4) _____
Name: _____

(5) _____
Name: _____

(6) _____
Name: _____